

REMARKS/ARGUMENTS

RESPONSE TO § 112 REJECTION

Applicant's disclosure meets the enablement requirement with respect to Claims 7, 14, and 21, as amended.

In the Office Action mailed August 3, 2005, the Examiner rejected claims 7, 14 and 21 under 35 U.S.C. § 112, for failing to meet the enablement requirement. In particular, the Examiner stated:

The claimed "elements" include "information blocks" ..., and these "information blocks" include "text, email, HTML, graphic images, video, and audio" A single information block, therefore, is required to contain each of the media elements set forth in claims 7, 14, and 21 ...

...

While it is doubtful that an "information element" that contained each of the media elements of claims 7, 14, and 21, could be "modified" to provide a "cohesive composite communication", the specification further provides no indication as to how graphics images, video, and audio could be "parsed" according to a natural language rule and limitation set.

(Office Action mailed August 3, 2005).

Applicant submits that the specification describes the invention as claimed in amended claims 7, 14 and 21, with detail sufficient to enable one skilled in the art to make and use the invention as claimed. Claims 7, 14 and 21 have been amended as follows:

... wherein the information blocks are of a type to include text, email, HTML, graphics images, video, or audio.

(Claim 7, emphasis added). As amended, claims 7, 14 and 21 refer to information blocks that are of one particular type, in the alternative. That is, each information block is of one type – text, email, HTML, graphics images, video or audio.

In addition, claims 1, 8 and 15 have been amended to read:

... parsing and modifying the elements according to a template and/or natural language rule and limitation set ...

(Claim 1, emphasis added). Accordingly, information blocks may be parsed and modified according to a template and/or a natural language rule and limitation set. Therefore, information blocks, such as graphics, may be parsed and modified according to a template, while textual information blocks may be parsed and modified according to a template or natural language rule and limitation set. Consequently, Applicant submits the enablement requirement has been met with respect to all claims.

Claims 1, 8 and 15 particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

In the Office Action mailed August 3, 2005, the Examiner rejected claims 1, 8 and 15 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to point out and distinctly claim the subject matter that Applicant regards as the invention. In particular, the Examiner stated:

The term "transitional zones" is not a well known or widely used term in the art, and the specification provides no definition, implied or otherwise, that one of ordinary skill in the art could use to determine what is encompassed by a "transitional zone" of an "element".

(Office Action mailed August 3, 2005).

Applicant submits that "transitional zones" has been sufficiently described in Applicant's specification, which states in paragraph [0010]:

For example, information blocks **130**, **134**, and **139** shown in **FIG. 1** according to one embodiment have beginning and ending zones a, b, c, and d. These transitional zones are modified to fuse the information blocks into a cohesive composite communication **138**, which is visible in mailer or responder 104.

(Applicant's Specification, Paragraph [0010]).

Moreover, in the context of an example that refers specifically to the automatic generation of an instruction manual, Applicant's specification states:

To produce a cohesive manual, language of those blocks may need adaptation in the beginning and ending zones, as shown in **FIG. 1** (zones a, b, c, d), as well as, in some cases, in cross-references between elements (not shown).

(Applicant's Specification, Paragraph [0014]). Accordingly, Applicant submits that the specification points out and distinctly claims the subject matter that Applicant regards as the invention.

RESPONSE TO § 102 REJECTIONS

In the Office Action mailed August 3, 2005, the Examiner rejected claims 1, 2, 4 – 7, and 9 – 14 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,369,573 to Holloran et al. (hereinafter, "Holloran"). To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claims 1, 8 and 15, as amended, are not anticipated by Holloran, because Holloran does not disclose each and every limitation of claims 1, 8 and 15.

Applicant submits that claim 1, as amended, is not anticipated by Holloran. Claim 1, as amended, states:

A method comprising:
 receiving a list of required elements;
 adding elements from the list to a communication until
 an end of the list is reached, and each element in the list of
 required elements has been added to the communication;
 parsing and modifying the elements according to a
 template and/or natural language rule and limitation set,
 wherein parsing and modifying includes modifying
 transitional zones and fusing the elements into a cohesive
 composite communication; and
 dispatching the communication to media channels.

(Claim 1, as amended). Accordingly, claim 1 refers to modifying the transitional zones of elements to make a cohesive communication. As set out above, transitional zones include beginning and ending zones. By way of example, in the case where an element or information

block is a paragraph, only the beginning and ending portions of the paragraph may be modified.

Holloran discloses a method for generating sentences. Accordingly, Holloran is generally related to generating the proper format and syntax of individual words in a sentence. Holloran, however, does not disclose or suggest modifying transitional zones and fusing elements into a cohesive composite communication, as claimed in claim 1.

As Holloran does not disclose each and every limitation of claim 1, Holloran does not anticipate claim 1. For the reasons stated above, claims 2 – 7, 8 – 14, and 15 – 21 are not anticipated by Holloran.

RESPONSE TO § 103 REJECTIONS

Claim 15 is not obvious in view of Holloran, because claim 15 includes limitations that are not disclosed or suggested by Holloran

As set out above in connection with claim 1, Holloran does not disclose or suggest modifying transitional zones and fusing elements into a cohesive composite communication. Consequently, for the same reason claims 1 and 8 are not anticipated by Holloran, claim 15 is not obvious under 35 U.S.C. § 103.

Dependent claims 3, 10 and 17, as amended, are not obvious in view of Holloran because Holloran does not disclose each and every limitation of claims 3, 10 and 17.

In addition to the limitations in claims 1, 8 and 15 that are not disclosed or suggested by Holloran, several dependent claims also include limitations that are not disclosed. For example, dependent claim 3, as amended, states:

The method of claim 1, wherein the list of required elements includes information blocks and links to information blocks that are embedded into the communication.

(Claim 3, as amended). Accordingly, claim 3 refers to a list of required elements that includes both required information blocks and **links** to required information blocks. Therefore, the list of required elements indirectly provides information blocks, for example by referencing such information blocks in links, as well as directly providing information blocks.

In contrast, Holloran discloses a document data table with references to records in a step data table. Consequently, Holloran does not disclose or suggest including information blocks or elements in the actual list that is used to generate the communication. Specifically, Holloran does not disclose or suggest a list of required elements that includes information blocks and links to information blocks that are embedded into the communication, as recited in claims 3, 10 and 17. Because Holloran does not disclose each and every element of claims 3, 10 and 17, those claims are not obvious in view of Holloran.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections and rejections have been addressed and that the application is now in a condition for allowance. Accordingly, Applicant respectfully requests reconsideration and allowance of the application.

Authorization is hereby given to charge our Deposit Account No. 50-2638 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such an extension.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nathan Elder", written over a horizontal line.

Nathan Elder
Reg. No. 55,150

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GREENBERG TRAURIG, LLP
CUSTOMER NUMBER 56188
1900 University Avenue, Fifth Floor
East Palo Alto, CA 94303
Phone: (650) 328-8500
Fax: (650) 328-8508
E-Mail: eldern@gtlaw.com